

WEDNESDAY, MARCH 2, 1994

SIXTY-NINTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Kevin Bowling, First United Methodist Church, Cookeville, TN.

Representative Hargrove led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Jackson; out-of-town.

Representative U. Jones.

Representative Turner (Hamilton); illness.

REPORT OF CHIEF ENGROSSING CLERK

March 1, 1994

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 440, 1949, 1976 and 2489; also,

House Joint Resolution(s) No(s). 445, 446, 447, 464 and 467.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

March 1, 1994

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2357, 2385, 2416, 2445 and 2462; also, House Joint Resolution(s) No(s). 236, 440, 441 and 442; with his approval.

DIANNE F. NEAL, Counsel to the Governor.

SENATE BILL RETURNED

The Clerk returned Senate Bill No. 1324 to the Senate as requested.

PRESENT IN CHAMBER

Representative(s) Clark and Robinson was/were recorded as being present in the Chamber.

RULES SUSPENDED

Rep. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 488 out of order, which motion prevailed.

House Joint Resolution No. 0488 -- Memorials, Personal Achievement -- Jaime Dudney, Miss Tennessee Teen U.S.A. 1993. by *Love, *Odom, *Pruitt, *Arriola, *Halteman Harwell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Love, **House Joint Resolution No. 0488** was adopted by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips,

Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RECOGNITION

Rep. Love requested that Jaime Dudney, Miss Teen Tennessee be allowed to approach the well for recognition.

COMMUNICATION

TO: House Clerk
FROM: Rep. Carol Chumney
DATE: 2/10/94
RE: SB1437/HB1305 on Message Calendar for House consideration
2/10/94

Today on the House floor I attempted to vote in opposition to SB 1437/HB 1305 on the Message Calendar. Instead, my vote was incorrectly recorded as voting in the affirmative. Please spread on the journal this statement that due to mechanical failure, or other reasons beyond my control, my vote was incorrectly recorded on this bill.

/s/Rep. Carol Chumney

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Thursday, March 3, 1994:

House Resolution No. 0138 -- Memorials, Sports -- Coach Guy Buchanan, TSSAA Hall of Fame. by *Moore.

House Joint Resolution No. 0485 -- Memorials, Recognition and Thanks -- Pastor Bill Adkins. by *Brooks, *Dixon, *Chumney, *Turner L, *Jones U, *Miller, *Brown, *Jones R.

House Joint Resolution No. 0489 -- Memorials, Sports -- Robert Polston, TSSAA Hall of Fame. by *Boyer, *Severance, *Bittle, *Tindell, *Ritchie, *Armstrong, *Peroulas Draper.

House Joint Resolution No. 0490 -- Memorials, Public Service -- Employees of the Jamestown Service Area of the Volunteer Electric Cooperative. by *Windle.

WEDNESDAY, MARCH 2, 1994 -- SIXTY-NINTH LEGISLATIVE DAY

House Joint Resolution No. 0491 -- Memorials, Public Service -- Employees of Wartburg District Office of the Plateau Electric Cooperative. by *Windle.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Thursday, March 3, 1994:

Senate Joint Resolution No. 0340 -- Memorials, Recognition and Thanks -- William Waller Henry, Senate Commerce, Labor and Agriculture Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2863 -- Oliver Springs -- Revises provisions relative to offices of city judge, finance officer/city court clerk, and recorder. Amends Chapter 247, Acts of 1905, as amended. by *Ferguson.

House Bill No. 2865 -- LaFollette -- Provides for holding city elections at regular November election; extends terms of existing officials one year to harmonize with new election date. Amends Chapter 161, Acts of 1897. by *Cross.

House Bill No. 2867 -- Cookeville -- Establishes regular August election as time for holding city elections; sets four year term for council members; requires popular approval. Amends Chapter 223, Private Acts of 1961, as amended. by *Hargrove.

DELAYED BILLS REFERRED

Pursuant to Rule No. 77, having been prefiled for introduction, House Bill(s) No(s). 2871, was/were referred to the Delayed Bills Committee.

House Bill No. 2871 -- Hardeman County -- Transfers duties and records of juvenile court clerk from county clerk to clerk of circuit court. by *Walley, *Crain.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were Held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1680 -- Courts, Juvenile --** Removes appeals to circuit court from juvenile court in cases of termination of parental rights; removes criminal court acceptance hearing when juvenile court transfers juvenile to criminal court for trial as adult. Amends TCA 37-1-159. (HB 2342).

***Senate Bill No. 1681 -- Courts, Juvenile --** Provides that once juvenile is transferred to criminal court for trial as adult, juvenile court loses jurisdiction over juvenile as to all pending or subsequent delinquent acts or criminal charges against juvenile. Amends TCA 37-1-134. (HB 2339).

***Senate Bill No. 1832 -- Historical Commission --** Establishes Tennessee Wars Commission. (HB 2172).

***Senate Bill No. 1841 -- Sunset Laws --** Terminates Jerry F. Agee Tennessee law enforcement training academy, board of control. Amends TCA, Title 4, Ch. 29; Title 38, Ch. 8. (HB 1964).

***Senate Bill No. 1987 -- Recycling --** Requires attorneys submitting court documents with courts of record to utilize recycled paper for documents. Amends TCA, Title 20, Ch. 6, Pt. 1. (HB 2643).

***Senate Bill No. 2015 -- Taxes, Sales --** Exempts from sales taxes used clothing sold by nonprofit, charitable institutions. Amends TCA, Title 67, Ch. 6, Pt. 3. (HB 2241).

***Senate Bill No. 2028 -- Taxes, Sales --** Exempts from sales and use tax, parts, service and labor for medical transport helicopters. Amends TCA, Title 67, Ch. 6, Pt. 3. (HB 1874).

***Senate Bill No. 2423 -- Public Records --** Permits CD ROM disks to be used for maintaining governmental records, provided certain standards are met. Amends TCA, Title 10, Ch. 7, Pt. 1. (HB 2295).

***Senate Bill No. 2474 -- Architects and Engineers --** Revises exemptions and requirements for public works projects and persons practicing as architects, engineers and landscape architects. Amends Chapter 132, Section 2, Public Acts of 1993. Amends TCA 62-2-103, 107. (HB 2454).

Senate Bill No. 2570 -- General Assembly -- Extends select oversight committee on corrections for four years; authorizes performance evaluation of committee by comptroller. Amends TCA 3-15-109. (*HB 2366).

***Senate Bill No. 2624 -- Civil Service --** Permits civil service vacancies in the career service normally filled by permanent employees through competitive process to be filled by temporary staffing service company for maximum of 90 days, upon approval of commissioner. Amends TCA 8-30-315. (HB 2579).

***Senate Bill No. 2668 -- General Assembly --** Makes bills

severable unless bill contains a reverse severability clause. Amends TCA, Title 3, Ch. 2. (HB 2752).

Senate Bill No. 2672 -- Parks, Natural Areas Preservation -- Designates Short Springs in Coffee County as a Class I Scenic Recreational Area. Amends TCA 11-14-108. (*HB 2669).

***Senate Bill No. 2743** -- Criminal Offenses -- Expands scope of introduction or possession of contraband into penal institution to include public or private facility. Amends TCA, Title 39, Ch. 16, Pt. 2. (HB 2749).

Senate Bill No. 2809 -- Mental Health and Mental Retardation, Dept. of -- Allows superintendent to oversee, maintain or transfer patient's records to any accurate recording medium that assures preservation; authorizes patient's records to be disclosed as necessary to assure care by least drastic means is suitable to person's liberty and interests. Amends TCA 33-3-104. (*HB 2530).

Senate Bill No. 2814 -- Civil Service -- Adds surviving spouse of veteran who died in military service to eligibility list for preference points on career service examinations. Amends TCA 8-30-306. (*HB 2536).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2859 -- Kingsport -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2860 -- Van Buren County -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2861 -- Milan -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 2862 -- Trenton -- Held on Clerk's desk pending approval by local delegation.

REPORTS FROM STANDING COMMITTEES

The committees that met on Tuesday, March 1, 1994, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Thursday, March 3, 1994: House Bill(s) No(s). 2366, 2493, 2460, 2749, 2354, 2747, 2321, 2247, 2365, 2830, 1807, 2536, 2742, 2532, 2530, 2531, 2241, 2707, 2123, 2236 and 1112.

WEDNESDAY, MARCH 2, 1994 -- SIXTY-NINTH LEGISLATIVE DAY

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Monday, March 7, 1994**: House Bill(s) No(s). 2322, 2534, 2731 and 2824; also, House Joint Resolution No. 373.

COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 2538 and 2002; also, House Bill(s) No(s). 952, 2454 and 2003 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2537 and House Bill(s) No(s). 1720 with amendment(s).

We further report that the following was/were considered but failed to pass: House Bill No. 1913.

CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 1722 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2543. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1068, 2108 and 2542; also, House Bill(s) No(s). 1876 with amendment(s). Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2128, 2569, 2544, 2545, 1933, 2339, 2342 and 1768; also, House Bill(s) No(s). 2315, 2743, 2183 and 2066 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 1951, 1957, 1960, 1968, 2193 and 1984; also, House Bill(s) No(s). 1948 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2069; also House Bill(s) No(s). 2291 with amendment(s). Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2521, 2428, 1869, 2308, 2809, 2813 and 2579; also, House Bill(s) No(s). 1361, 2728, 2199, 2301, 2717 and 2673 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2308. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2378; House Bill(s) No(s). 1878; with amendment(s); for adoption: House Joint Resolution(s) No(s). 432, 415 and 434; also, for concurrence: Senate Joint Resolution(s) No(s). 262. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2015. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on Wednesday, March 2, 1994, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the Regular Calendar for Monday, March 7, 1994: House Bill(s) No(s). 1959, 1962, 2094, 2259, 427, 2055, 2414, 2082, 2077 and 1898.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 7, 1994: House Bill(s) No(s). 2302, 1757, 2061, 1942, 1947, 1955, 1956, 2190, 2192, 2197, 2362, 2669, 2111 and 2004; House Resolution No. 119; also, House Bill No. 2488.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 2010; also, House Bill(s) No(s). 2277, 2540 and 64 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2164 and 2529; also, House Bill(s) No(s). 2657, 2739 and 2522 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2520. Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1686, 2295, 2471, 2340, 2750 and 2229; also, House Bill(s) No(s). 309, 2231, 816 and 691 with amendment(s). Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2393; also, House Bill(s) No(s). 2526, 2527 and 764 with amendment(s). Pursuant to Rule No. 72, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Resolution No. 0137 -- Memorials, Retirement -- Don Boley.

House Joint Resolution No. 0476 -- Memorials, Public Service -- Employees of Livingston District Office of Upper Cumberland Electric Membership Corporation.

House Joint Resolution No. 0477 -- Memorials, Personal Achievement -- Andrew Scott Buckner, Eagle Scout.

House Joint Resolution No. 0478 -- Memorials, Death -- Charles W. Crow.

House Joint Resolution No. 0479 -- Memorials, Recognition and Thanks -- Carl Lynn Lehman.

House Joint Resolution No. 0480 -- Memorials, Retirement -- Roger C. Reeds, Randall House Publishing.

House Joint Resolution No. 0481 -- Memorials, Personal Occasion -- Robert L. Darby, 101 years old.

House Joint Resolution No. 0482 -- Memorials, Sports -- Ernest Rasar, Administrator, TSSAA Hall of Fame.

House Joint Resolution No. 0483 -- Memorials, Sports -- D. M. Miller, Administrator, TSSAA Hall of Fame.

House Joint Resolution No. 0484 -- Memorials, Sports -- Billy J. Haney, contributor, TSSAA Hall of Fame.

Senate Joint Resolution No. 0317 -- Memorials, Professional Achievement -- William E. Trickett, Tennessee winner, 1994 Time Magazine Quality Dealer Award for 1994.

Senate Joint Resolution No. 0321 -- Memorials, Death -- James Leaks.

Senate Joint Resolution No. 0322 -- Naming and Designating -- "American Legion Week," March 13-19, 1994.

Senate Joint Resolution No. 0324 -- Memorials, Professional Achievement -- Richard R. Rooker, appointment as Circuit Court Clerk.

Senate Joint Resolution No. 0334 -- Memorials, Illness -- Senator T. Tommy Cutrer.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1206 -- Nurses, Nursing -- Removes site restriction criteria from certified nurse practitioners who have authority to write and sign prescriptions and/or issue drugs. Amends TCA, Titles 53, 63, 68.

On motion, House Bill No. 1206 was made to conform with **Senate Bill No. 878**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that **Senate Bill No. 878** be passed on third and final consideration.

On motion, Rep. Dixon withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 4 as follows:

Amendment No. 2

AMEND Senate Bill No. 878 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 63-1-132, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

() The name of each nurse practitioner who has met the additional requirements of §63-7-207(14), to write and sign prescriptions and/or issue drugs and who has been issued a certificate of fitness by the Tennessee board of nursing shall be recorded and filed with the director of the division together with the name of the supervising physician under whom such nurse is prescribing pursuant to §63-6-204, and a copy of such name shall be sent to the board of medical examiners, the board of nursing and the board of pharmacy. Any prescription written and signed, and/or any drug issued by such nurse practitioner shall be deemed to be that of the physician under whose supervision and control the nurse practitioner is prescribing. The nurse practitioner shall sign both the nurse practitioner's own name and the supervising physician's name on each such prescription so written.

SECTION 2. Tennessee Code Annotated, Section 63-7-123(b), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(b) A nurse who has been issued a certificate of

fitness as a nurse practitioner pursuant to §63-7-207 and this section shall file a notice with the primary care advisory board pursuant to §68-1-701(d) containing the name of the nurse practitioner, and attaching thereto a copy of the formulary describing the categories of legend drugs to be prescribed and/or issued and the protocol the nurse practitioner will be using, together with the name of the licensed physician having the supervision, control and responsibility for prescriptive services rendered. The nurse practitioner shall be responsible for updating this information. Such nurse practitioner shall also file the same information with the director of the division of health related boards in accordance with §63-1-132(c).

SECTION 3. Tennessee Code Annotated, Section 68-1-701(d), is amended by deleting subdivisions (4), (5), (6), and (9), in their entirety and by deleting the semi-colon and word "and" at the end of subdivision (8) and substituting instead a period.

Section 68-1-701(d), is further amended by adding the following language as new, appropriately designated subdivisions:

() (A) Monitor the prescriptive practices of nurse practitioners, licensed pursuant to the requirements of the Tennessee board of nursing, and monitor the supervision by physicians under whom such nurse practitioners are rendering service. For purposes of this section the word "monitor" shall not include the regulation of the practice of nursing or the practice of medicine but may include site visits by members of the board;

(B) Receive and maintain the information required to be filed as provided in §63-7-123(b);

(C) Report any complaints against such nurse practitioners and/or supervising physicians to the director of the division of health related boards, the board of nursing, and the board of medical examiners, as appropriate; and

(D) Assist in any appropriate manner in an investigation of improper prescriptive practices of such nurse practitioner and/or a supervising physician at the request of the director of health related boards.

() Report annually to the members of the general assembly and the commissioner of health their findings regarding the delivery of primary health care in this state.

SECTION 4. Tennessee Code Annotated, Section 53-10-104(a)(1), is amended by deleting the language "and who meets the requirements pursuant to §63-1-129 (repealed),".

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Wood moved that Amendment No. 1 to Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Coffey moved the previous question, which motion prevailed.

On motion, Amendment No. 2 was adopted.

Rep. Odom moved that Senate Bill No. 878 be passed on third and final consideration.

Rep. Givens moved the previous question, which motion prevailed.

Rep. Odom moved that Senate Bill No. 878, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	2
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: McAfee, Stockburger -- 2.

Representatives present and not voting were: Crain -- 1.

A motion to reconsider was tabled.

House Bill No. 1526 -- Workers' Compensation -- Establishes governmental immunity for municipal corporation providing employee in line of duty benefits from personal injury or death by accident. Amends TCA 29-20-106, 50-6-108.

Further consideration of House Bill No. 1526, previously considered on February 23, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994.

Rep. Love moved that House Bill No. 1526 be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 2178 -- Highway Signs -- "U.S. Post Office this exit," I-40, Parkers Crossroads.

Further consideration of House Bill No. 2178, previously considered on February 28, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994.

Rep. McDaniel moved that House Bill No. 2178 be reset one week to the Calendar for Wednesday, March 9, 1994, which motion prevailed.

House Bill No. 2230 -- Davidson County -- Permits Davidson County to contract with secretary of state for use of administrative law judges. Amends TCA, Title 7, Ch. 7.

Further consideration of House Bill No. 2230, previously considered on February 28, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994.

Rep. West moved that House Bill No. 2230 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

WEDNESDAY, MARCH 2, 1994 -- SIXTY-NINTH LEGISLATIVE DAY

House Bill No. 2840 -- Morristown -- Revises various sections of civil service board provisions. Amends Chapter 103, Acts of 1903, as amended.

Further consideration of House Bill No. 2840, previously considered on February 28, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994.

Rep. Johnson moved that House Bill No. 2840 be reset to the Calendar for Monday, March 7, 1994, which motion prevailed.

House Bill No. 1979 -- Sunset Laws -- Tellico reservoir development, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 1.

Further consideration of House Bill No. 1979, previously considered on February 28, 1994, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 2, 1994.

Rep. Kernell moved that House Bill No. 1979 be reset two week to the Calendar for Wednesday, March 16, 1994, which motion prevailed.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Thursday, March 3, 1994:

House Bill No. 933: Rep. Winningham.

BILLS WITHDRAWN

On motion of Rep. Rhinehart, **House Bill No. 2610** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Bragg, **House Bill No. 779** was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Bragg, **House Bill No. 802** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Bragg, **House Bill No. 1540** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 2170** was recalled from the Health and Human Resources Committee and withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 2171** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 1278** was recalled from the Conservation and Environment Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 1295** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 1296** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 1298** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Brooks, **House Bill No. 1302** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Hargrove, **House Bill No. 984** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Purcell, **House Bill No. 2751** was recalled from the Commerce Committee and withdrawn from the House.

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

House Bill No. 788: Rep(s). Kernell.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 374: Rep(s). Venable as prime sponsor(s).

House Bill No. 1206: Rep(s). Davis, Hargrove, Thompson, Herron, Phelan, Johnson, Pinion, McDaniel, Cole Ronnie, Tindell, Collier, Lewis and Kent as prime sponsor(s).

House Bill No. 1241: Rep(s). Peroulas Draper as prime sponsor(s).

House Bill No. 1597: Rep(s). Ridgeway as prime sponsor(s).

House Bill No. 1683: Rep(s). Boyer as prime sponsor(s).

House Bill No. 1882: Rep(s). Thompson and Head as prime sponsor(s).

House Bill No. 2032: Rep(s). Bittle as prime sponsor(s).

House Bill No. 2116: Rep(s). Coffee as prime sponsor(s).

House Bill No. 2315: Rep(s). Phelan as prime sponsor(s).

House Bill No. 2327: Rep(s). Arriola as prime sponsor(s).

House Bill No. 2457: Rep(s). Stamps as prime sponsor(s).

House Bill No. 2504: Rep(s). Brown and Meyer as prime sponsor(s).

House Bill No. 2536: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 2647: Rep(s). Bell as prime sponsor(s).

House Joint Resolution No. 478: Rep(s). Bragg as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Bragg was/were removed as sponsor(s) of **House Bill No. 188**.

On motion, Rep(s). West was/were removed as sponsor(s) of **House Bill No. 1866**.

On motion, Rep(s). Miller was/were removed as sponsor(s) of **House Bill No. 2780**.

ENROLLED BILLS March 1, 1994

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): **House Bill(s) No(s). 1623, 1710, 1796, 1803, 2349, 2646, 2663, 2836, 2838 and 2839; also, House Resolution(s) No(s). 136.**

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED March 1, 1994

The Speaker signed the following: **House Bill(s) No(s). 1623, 1710, 1796, 1803, 2349, 2646, 2663, 2836, 2838 and 2839; also, House Resolution(s) No(s). 136.**

BETTY KAY FRANCIS, Chief Engrossing Clerk.
-2962-

SIGNED
March 2, 1994

The Speaker signed the following: Senate Bill(s) No(s). 1724, 1788, 1803, 1808, 1835, 1864, 1867, 1884, 1905, 1917, 1919, 1928, 1929, 2374, 2399 and 2542; also, Senate Joint Resolution(s) No(s). 310, 311, 312, 315 and 323.

MESSAGE FROM THE SENATE
March 2, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1689, 1748, 1782, 1791, 1912, 1918, 1949, 1950, 2074, 2149, 2384, 2535, 2615, 2830 and 2834; also, Senate Joint Resolution(s) No(s). 260; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1623, 1710, 1796, 1803, 2349, 2646, 2663, 2836, 2838 and 2839; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 2, 1994

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1623, 1710, 1796, 1803, 2349, 2646, 2663, 2836, 2838 and 2839.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS
March 2, 1994

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2230; also, House Joint Resolution(s) No(s). 476, 477, 478, 479, 480, 481, 482, 483, 484 and 488.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Joint

WEDNESDAY, MARCH 2, 1994 -- SIXTY-NINTH LEGISLATIVE DAY

Resolution(s) No(s). 457 and 469; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1712, 1946, 1950, 1963, 1972 and 2191; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1866; substituted for Senate Bill(s) on the same subject(s) amended and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1977; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 482; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1851 and 2251; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 317, 321, 322, 324 and 334; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 287, 326, 329, 331, 333 and 345; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 0287** -- Naming and Designating -- Confirms action of state building commission in designating new state office building as "Tennessee Tower". by *Henry, *McKnight, *Hamilton, *Wilder, et al.

Senate Joint Resolution No. 0326 -- Memorials, Professional Achievement -- Middle Tennessee State University Leadership Institute. by *Womack.

Senate Joint Resolution No. 0329 -- Memorials, Interns -- Sarah Card, Senate page. by *Patten.

Senate Joint Resolution No. 0331 -- Memorials, Recognition and Thanks -- Reverend Lexie Freeman. by *Burks, *O'Brien.

Senate Joint Resolution No. 0333 -- Memorials, Professional Achievement -- Ida Jones, doctoral recipient. by *Davis, *Kyle.

Senate Joint Resolution No. 0345 -- Memorials, Professional Achievement -- Virginia Elliott, Certified Municipal Clerk. by *Hamilton.

MESSAGE FROM THE SENATE

March 2, 1994

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1349, 1756, 1882, 2187, 2440, 2442, 2586 and 2621; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 1349** -- Solid Waste Disposal -- Requires commissioner of health to hold a public hearing in the geographical

area of a proposed landfill during evaluation period and prior to making a decision on application; requires commissioner to transcribe or record comments made at the hearing. Amends TCA 68-211-106. by *Crowe, *Wallace, *Springer.

***Senate Bill No. 1756** -- Notary Public -- Makes notary public a notary at large without payment of additional fee or furnishing of additional bond. Amends TCA, Title 8. by *Kyle.

***Senate Bill No. 1882** -- Sunset Laws -- Board of social worker certification and licensure, June 30, 2002. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 23. by *Haynes, *Cohen.

***Senate Bill No. 2187** -- Insurance Companies, Agents, Brokers -- Requires that insurance company calculate return premium on pro-rata basis when premium finance company requests cancellation due to non-payment. Amends TCA, Title 56. by *Kyle.

***Senate Bill No. 2440** -- Sunset Laws -- State certification commission, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 5. by *Haynes.

***Senate Bill No. 2442** -- Sunset Laws -- Regional transportation authority, June 30, 1995. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 8. by *Haynes.

***Senate Bill No. 2586** -- Correctional Programs -- Allows county legislative bodies to request department of correction to operate community corrections advisory program within counties not establishing own boards. Amends TCA, Title 40, Ch. 36. by *Kyle.

***Senate Bill No. 2621** -- Motor Vehicles -- Enacts "Tennessee Automobile Safety Act of 1994". Amends TCA 55-9-603, 604. by *Patten, *Cooper, *Crowe, *Person.

CONSENT CALENDAR March 2, 1994

The following local bills have been placed on the Consent Calendar for Monday, March 7, 1994: House Bill(s) No(s). 2857 and 2858.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley,

WEDNESDAY, MARCH 2, 1994 -- SIXTY-NINTH LEGISLATIVE DAY

Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, March 3, 1994.